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6 Attorneys for Defendant, Counter-Defendant and
 Cross-Defendant ECO DRY OF AMERICA, INC.
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
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11 KFD ENTERPRISES, INC., a California
 corporation dba Norman's Dry Cleaners,
 12

Plaintiff,
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v.
 14

CITY OF EUREKA, et al.,
 15

Defendant.
 16

17 AND RELATED CROSS-CLAIMS AND
 18 THIRD PARTY CLAIMS

CASE NO. CV-08-04571-MMC

**STIPULATION AND ~~PROPOSED~~
 ORDER RE: VOLUNTARY DISMISSAL
 OF CITY OF EUREKA'S THIRD
 AMENDED COUNTERCLAIM AND
 CROSS-CLAIM AGAINST COUNTER-
 DEFENDANT ECO DRY OF AMERICA,
 INC.**

[FRCP Rule 41(a)(2)]

Action Filed: October 1, 2008

19
 20 IT IS HEREBY STIPULATED AND AGREED by and between DEFENDANT, CROSS-
 21 CLAIMANT and COUNTER-CLAIMANT CITY OF EUREKA ("EUREKA") and
 22 DEFENDANT, CROSS-DEFENDANT and COUNTER-DEFENDANT ECO DRY OF
 23 AMERICA, INC. ("ECO DRY") through their respective counsel of record as follows:

24 EUREKA's Amended Counter-Claim shall be dismissed without prejudice as to Cross-
 25 Defendant and Counter-Defendant ECO DRY only. Each party shall bear their own fees and
 26 costs.

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28 ///

1 IT IS SO STIPULATED:

2
3 DATED: September ___, 2010

DAVIDOVITZ & BENNETT LLP

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5 By: /s/ Charles H. Bolcom
6 MORIS DAVIDOVITZ
7 CHARLES H. BOLCOM
8 Attorneys for Defendant, Cross-Claimant and
9 Counter-Claimant CITY OF EUREKA

10
11 DATED: September ___, 2010

LEWIS BRISBOIS BISGAARD & SMITH LLP

12 By: /s/ Robert Farrell
13 GLENN A. FRIEDMAN
14 ROBERT FARRELL
15 Attorneys for Defendant, Counter-Defendant and
16 Cross-Defendant ECO DRY OF AMERICA,
17 INC.

18 (The filer hereby attests that concurrence in the filing of this document has been obtained
19 from the signatory above).

20 /s/ Robert Farrell
21 Robert Farrell

22 IT IS SO ORDERED.

23
24 DATED: September 15, 2010

25 
26 JUDGE OF THE UNITED STATES DISTRICT
27 COURT
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